UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,366	11/01/2001	Roger T. Baird	10012886-1	7303

7590 10/20/2004	

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 June 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>11/1/01</u> is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-26 are pending.

2.   Information Disclosure Statement filed on November 1, 2001 has been

considered (paper# 2).

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   **Claims 5-6, 12-13 are rejected under 35 U.S.C. 112, second paragraph, as**

being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

As per claims 5-6,12-13 recites the limitation "the stored indicators" in line 2.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1, 4-14, 17-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Himmel et al. (US 6,324,566) and Burke (US 6,032,162).

As per independent claims 1,14,24-25 Himmel teaches a processor coupled to

a local interface at fig.1, a memory coupled to a local interface at fig. 1, downloading to

a computer system a page associated with a bookmark at col.6, lines 42-44,60-63 and

fig. 3, Ref. No. 305, determining non-local links within the page at col. 6, lines 64-67

(Himmel teaches a user selecting a booklist matching user desired category,

downloading the set of bookmarks associated with the selected bookmark list from a

location remote from the user and activating the bookmark set to make available to the

user the included URLs.)

Himmel does not explicitly teach displaying, on the computer system, indicators

associated with the non-local links however Burke does teach this limitation at col. 7,

lines 10-24. Thus it would have been obvious to one of ordinary skill in art at the time of

the invention to combine the cited references for the purpose of viewing and selecting a

bookmark within the list col.7, 18-19.

As per claims 4,17 same as claim arguments above and Himmel teaches

wherein the downloading and the determining are actuated by the selection action at

col. 6, lines 60-67.

As per claim 5,18 same as claim arguments above and Himmel teaches:

wherein the indicators are stored on the computer system ... at col. 10, lines 6-8.

As per claim 6,19 same as claim arguments above and Himmel teaches:

wherein the selecting action actuates updating of the stored indicators by periodically

performing the downloading and the determining col.10, lines 12-14.

As per claims 7 same as claim arguments above and Himmel teaches:

wherein the selecting action includes hovering over the entry at col. 6, lines 61-63

(Himmel teaches a selection of an bookmark set which would include hovering over the

set of choice before selection).

As per claims 8,20 same as claim arguments above and Himmel teaches:

wherein the determining includes parsing source code of the page at col. 4, lines 65-67

and col. 10, lines 15-20, 31-39. (Himmel teaches downloading a bookmark set (sets of

URLs) and making these bookmarks available to the user. The example describes

providing a user access to the bookmark set on cancer and access to the bookmarks

contained within the set. The bookmarks are linked to the web pages containing articles

on the topic of cancer. These bookmarks have text (bookmark indicators) describing the

each article.)

As per claims 9, 21 same as claim arguments above and Himmel teaches:

wherein the parsing includes examining the source code for anchor tags at col. 4, lines

65-67 and col. 10, lines 15-20, 31-39. (Himmel teaches downloading a bookmark set

and making these bookmarks available to the user. The example describes providing a

user access to the bookmark set on cancer and access to the bookmarks contained

within the set. The bookmarks are linked to the web pages containing articles on the

topic of cancer. These bookmarks have text (bookmark indicators) describing the each article.)

As per claims 10, 22 same as claim arguments above and Himmel teaches: wherein the parsing includes examining the tags to determine whether links associated with the anchor tags are local links at col. 4, lines 65-67 and col. 10, lines 15-20, 31-39. (Himmel teaches downloading a bookmark set and making these bookmarks available to the user.

As per claims 11,23 same as claim arguments above and Himmel teaches: wherein the determining includes extracting text from the anchor tags for the bookmark indicators at col. 4, lines 65-67 and col. 10, lines 15-20, 31-39. (Himmel teaches downloading a bookmark set and making these bookmarks available to the user. The example describes providing a user access to the bookmark set on cancer and access to the bookmarks contained within the set. The bookmarks are linked to the web pages containing articles on the topic of cancer. These bookmarks would have text (bookmark indicators) describing the each article.)

As per claims 12 same as claim arguments above and Himmel teaches: wherein the indicators are stored on the computer system, and the displaying includes displaying the indicators at col. 10, lines 6-8.

As per claim 13 same as claim arguments above and Himmel teaches: wherein the indicators are updated by periodically performing the downloading and the determining at col. 6, lines 10, lines 12-14.

7.   Claims 2-3,15-16,26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Himmel et al. (US 6,324,566) and Burke (US 6,032,162) in view

of Sanford et al (US 6,256,028).

      As per claims 2, 15 same as claim arguments above and Burke does not

explicitly teach wherein the displaying includes displaying the indicators next to an entry

on a bookmark list associated with the page however Sanford does teach this limitation

at fig. 7. It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the cited reference to improve user friendly access to web pages

at col. 2, lines 65.

      As per claims 3,16 same as claim arguments above and Himmel does not

explicitly teach wherein the displaying includes selectively displaying the indicators in

response to the selecting action by the user however Burke does teach this limitation at

col. 7, lines 10-24, fig. 5. Thus it would have been obvious to one of ordinary skill in art

at the time of the invention to combine the cited references for the purpose of viewing

and selecting a bookmark within the list col.7, 18-19.

      As per claim 26 Himmel teaches downloading to a computer system a page

associated with a bookmark at col.6, lines 42-44,60-63 and fig. 3, Ref. No. 305,

determining non-local links within the page at col. 6, lines 64-67, parsing source code of

the page, wherein the parsing includes examining the source code for anchor tags col.

4, lines 65-67 and col. 10, lines 15-20, 31-39, wherein the parsing includes examining

the tags to determine whether links associated with the anchor tags are local links at

col. 4, lines 65-67 and col. 10, lines 15-20, 31-39, extracting text from the anchor tags

for indicators associated with the non-local links at col. 6, lines 65-67 (Himmel teaches downloading a bookmark set and making these bookmarks available to the user).

Himmel does not explicitly teach wherein the displaying includes selectively displaying the indicators in response to the selecting action by the user however Burke does teach this limitation at col. 7, lines 10-24, fig. 5. Thus it would have been obvious to one of ordinary skill in art at the time of the invention to combine the cited references for the purpose of viewing and selecting a bookmark within the list col.7, 18-19.

Burke does not explicitly teach wherein the displaying includes displaying the indicators next to an entry on a bookmark list associated with the page however Sanford does teach this limitation at fig. 7. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited reference to improve user friendly access to web pages at col. 2, lines 65.

Response to Arguments

8.   Applicant's arguments filed on June 8, 2004 have been fully considered but they are not persuasive.

9.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., current web page at p. 7, line 17; indicators are made of these links for a user at p.7, line 17; the browser at p. 7, line 18) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding Applicant's argument Himmel does not teach source code of a page is examined to identify the anchor tags Examiner maintains at col.10, lines 44-49 "cancer" have anchor tags and source code similar to Applicant's.

Regarding Applicant's argument Himmel does not teach examining tags to determine whether the links are local links Examiner maintains Himmel teaches bookmark access url which are local or non local links similar to Applicant's claimed language at col. 6, lines 65-67.

10.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., employed at p.9, line 14) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Susan Rayyan whose telephone number is (703) 305-

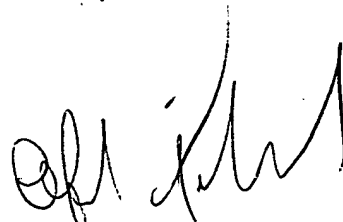0311. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on 703-305-9790. The fax phone numbers for

the organization where this application or proceeding is assigned are (703) 872-9306 for

Official communications, (703) 746-7238 for After Final communications and (703) 746-

7240 for Status inquires and draft communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

Susan Rayyan

ALFORD KINDRED
PRIMARY EXAMINER

October 12, 2004